

Appl. No. 10/758,656
Atty. Docket No. 9144
Amdt. dated January 17, 2006
Customer No. 27752

REMARKS

Amendments to the Claims

Claims 14-19 and 21-27 are pending in the present application. Claims 1-13, 20 and 28 have been canceled for reasons unrelated to patentability. No additional claim fee is believed to be due.

Rejection Under 35 U.S.C. §102(e) Over W.O. Patent No. 03/105793 to Geary et al.

Claims 1-6, 8-19, and 21-27 are rejected under 35 U.S.C. §102(e) as being anticipated by W.O. Patent No. 03/105793 to Geary et al. ("Geary"). Claims 1-6 and 8-13 have been cancelled, and therefore are not at issue.

Applicants submit that Geary does not qualify as prior art under 35 U.S.C. §102(e). In order to qualify as prior art under 35 U.S.C. §102(e), the invention must be described in an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent. In this instance, Applicants have properly claimed priority to U.S. Application Serial No. 10/464,171, the U.S. equivalent to W.O. Patent No. 03/105793, which were each filed on June 18, 2002, respectively.

W.O. Patent No. 03/105793 to Geary et al. fails to qualify as prior art under 35 U.S.C. §102(e). Therefore, Claims 14-19 and 21-27 are not anticipated by Geary.

Rejection Under 35 U.S.C. §102(a) Over U.S. Patent Publication No. 2002/0012646 to Royce et al.

Claims 1-6, and 8-13 are rejected under 35 U.S.C. §102(a) as being anticipated by U.S. Patent Publication No. 2002/0012646 to Royce et al. Presently, Claims 1-6 and 8-13 have been canceled. Accordingly, Applicants submit that this rejection has been obviated.

Rejection Under 35 U.S.C. §102(b) Over U.S. Patent No. 5,919,440 to Kaiser et al.

Claims 1-6 and 8-11 and 13 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,919,440 to Kaiser et al. Presently, Claims 1-6 and 8-13 have been canceled. Accordingly, Applicants submit that this rejection has been obviated.

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Rejection Under 35 U.S.C. §102(b) Over U.S. Patent No. 5,409,628 to Heinz et al.

Claims 1-6, 8-11 and 13 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,409,628 to Heinz et al. Presently, Claims 1-6 and 8-13 have been canceled. Accordingly, Applicants submit that this rejection has been obviated.

Rejection Under 35 U.S.C. §102(b) Over U.S. Patent No. 5,726,137 to Patel et al.

Claims 1-6, 8-11, and 13 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,726,137 to Patel et al. Presently, Claims 1-6, 8-11 and 13 have been canceled. Accordingly, Applicants submit that this rejection has been obviated.

CONCLUSION

In light of the remarks presented herein, it is requested that the Examiner reconsider and withdraw the present rejections. Early and favorable action in the case is respectfully requested.

Applicants have made an earnest effort to place their application in proper form and to distinguish the invention as now claimed from the applied references. In view of the foregoing, Applicants respectfully request reconsideration of this application and allowance of Claims 14-19 and 21-27.

Respectfully submitted,
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